

REMARKS

Upon entry of the foregoing amendments, claims 13-20 and 23 are pending in the present application. Claims 13, 15, 16, 17, 19, 20, and 23 have been amended. Amendments to the claims are supported by the as-filed specification. Claims 1-12, 21, and 22 have been cancelled. Reexamination of the application and reconsideration of the rejections and objections are respectfully requested in view of the foregoing amendments and the following remarks, which follow the order set forth in the Office Action.

Examiner Interview

Applicants thank the Examiner for participating in a helpful and productive telephone interview with Applicants' representative on April 7, 2010. The Examiner stated that amending claim 23 to read at line 5 "extracting the Zn- and Pb-bearing fumes and recovering Zn and Pb from the fumes" distinguishes the claim from Player et al. because Player et al. does not teach recovering Pb in the fumes. Accordingly, Applicants submit that amended claim 23 is allowable. Applicants have also amended claims 13-20 to depend from claim 23. As such, Applicants submit that amended claims 13-20 are also allowable.

Rejections under 35 U.S.C. §103

Claims 12, 15, 16, 19, and 23 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 5,256,186 to Player et al. ("Player"). Applicants respectfully traverse. Claim 12 has been canceled. Thus, any rejection thereof is now moot.

Applicants have amended claim 23 to read at line 5 "extracting the Zn- and Pb-bearing fumes and recovering Zn and Pb from the fumes". Applicants have also amended claims 13-20 to depend from claim 23.

The Examiner stated that the amendment to claim 23 distinguishes claim 23 from Player because Player does not teach recovering Pb in the fumes. Based on the foregoing, Applicants respectfully request reconsideration and withdrawal of the instant rejection.

Objectionable Allowable Subject Matter

The Office Action indicates that claims 13, 14, 17, 18, and 20 have been objected to as being dependent on a rejected base claim, but would be considered allowable if rewritten

in independent form including all of the limitations of the base claim and any intervening claims. Applicants have amended claims 13-20 to depend from amended claim 23. Having overcome the rejections against claim 23, Applicants submit that amended claims 13-20 are allowable. Applicants respectfully request reconsideration and withdrawal of the objection.

Conclusion

For the foregoing reasons, amended claims 13-20 and 23 are considered to be allowable. A Notice to this effect is respectfully requested. If any questions remain, the Examiner is invited to contact the undersigned at the number given below.

Respectfully submitted,

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